

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Cas D.C.

2005 SEP 27 PM 2: 26

SANDRA M. CULVER,

Plaintiff,

v.

CCL LABEL, INC.,

Defendant.

No. 03-cv-2722-D/P

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

FILED BY OC D.C.
05 OCT 11 PM 3: 02
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

MOTION TO REOPEN ADMINISTRATIVELY CLOSED CASE
AND MEMORANDUM IN SUPPORT THEREOF

Comes now Plaintiff, Sandra Culver, and moves the Court for an order reopening her administratively closed case and for grounds for her motion, states as follows:

1. By order entered March 7, 2005, this Court administratively closed the above-styled case due to Plaintiff's pending bankruptcy.
2. An order was entered in the Bankruptcy Court for the Western District of Tennessee authorizing the Trustee to employ Ron W. McAfee as special counsel for the Trustee to proceed with this litigation.
3. By letter dated September 12, 2005, the Office of Trustee for the Bankruptcy Court of Mississippi, Northern District, approved the appointment and authorized Mr. McAfee to proceed. (See Exhibit A attached hereto.)

THEREFORE, for good cause shown, Plaintiff respectfully moves this Court for an order reopening her administratively closed case.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 10/11/05

MOTION GRANTED

DATE 10-8-2005

Bernice Bouie Donald
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

11

Respectfully submitted,

Ron W. McAfee
Ron W. McAfee (#11590)
251 Adams Avenue
Memphis, TN 38103
(901)544-1055

Attorney for Plaintiff and Bankruptcy Trustee

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served on Defendant, CCL Label, Inc., by and through its counsel of record, Jonathan E. Scharff, One Commerce Square, Suite 2700, Memphis, Tennessee 38103, via U. S. Mail, postage pre-paid, this 23rd day of September, 2005.

Ron W. McAfee

OFFICE OF THE TRUSTEE
CHAPTER 13 PROCEEDINGS
817 EAST RIVER PLACE
JACKSON, MISSISSIPPI 39202
PHONE (601) 355-6661

LOCKE D. BARKLEY
TRUSTEE, NORTHERN DISTRICT

Mailing Address:
P.O. BOX 55829
JACKSON, MS 39296-5829

September 12, 2005

Hon. Ron W. McAfee
251 Adams Avenue
Memphis, TN 38103


Re: Sandra M. Culver
Chapter 13 Case No. 05-10116

Dear Mr. McAfee:

We are in receipt of your letter regarding the above referenced Debtor dated August 26, 2005. Please be advised that you do have our authority to proceed with the litigation. However, any settlement or judgment will have to be approved by the Bankruptcy Court.

If you have any further questions or concerns, please do not hesitate to contact me.

Very truly yours,


Todd S. Johns,
Staff Attorney

TSJ:jeh

cc: The Boyd Law Group
Sandra M. Culver
Bankruptcy Court



Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:03-CV-02722 was distributed by fax, mail, or direct printing on October 12, 2005 to the parties listed.

Ron W. McAfee
LAW OFFICE OF RON W. MCAFEE
251 Adams Ave.
Memphis, TN 38103

Jonathan E. Scharff
HARRIS SHELTON DUNLAP COBB & RYDER
One Commerce Square
Ste. 2700
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT